

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF TEXAS  
PECOS DIVISION**

**UNITED STATES OF AMERICA**

**V.**

**SERGIO MENCHACA PIZARRO**

§  
§  
§  
§  
§

**Cause No. P-23-M-500**

**PROBABLE CAUSE FINDING AND  
ORDER OF DETENTION PENDING TRIAL**  
*(risk of flight and danger to community)*

**PROBABLE CAUSE FINDING**

The Defendant stands charged by **complaint** with a violation of 19 U.S.C. § 1459 – **reporting requirements for individuals**. Under the provisions of Rule 5.1, Fed. R. Crim. P., it appears there is probable cause to believe that an offense has been committed and that the Defendant committed the offense as alleged. The Government has shown the necessary probable cause to get the case before the Federal Grand Jury.

**DETENTION ORDER**

The Government moved to detain the Defendant on the basis of Title 18, U.S.C. § 3142. In accordance with the Bail Reform Act, 18, U.S.C. § 3142 (f), a detention hearing has been held. I conclude that detention of the Defendant is required pending trial in this case for the following reason(s):

**FINDINGS RELATED TO DETENTION**

- 1) The evidence and punishment range against the Defendant are substantial.
- 2) The Court took judicial notice of the Complaint, Affidavit in support of the Complaint, and the Pretrial Services Report. Special Agent Fernandez Juarez, with Homeland Security Investigations, testified concerning the facts outlined in the complaint.
- 3) The Defendant is a United States citizen. However, Defendant has extended family living in Mexico. Defendant lives and works in Mexico.
- 4) The Defendant refused to interview with Pretrial Services, therefore the Defendant's history, residence, family ties, employment history, financial resources, and health could not be confirmed by Pretrial Services.

The Court finds there is no condition or combination of conditions which would reasonably assure the appearance of the Defendant as required and the safety of the community, taking into account all the available information presented to the Court. There is clear and convincing evidence that the Defendant is a danger to the community as well as a preponderance of the evidence which indicates that the Defendant is a risk of flight. Therefore, the Defendant is **DETAINED**.

**DIRECTIONS REGARDING DETENTION**

In light of the findings and reasons set forth above, it is **ORDERED** that:

- 1) The Defendant be committed to the custody of the Attorney General for confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal during the time he awaits trial;
- 2) The Defendant be afforded opportunity for private consultation with his counsel during this period in detention;
- 3) The facility where the Defendant will be placed shall make the Defendant available to the United States Marshals Service for any appearance in connection with a Court proceeding in this matter; and,
- 4) In the event of an appeal of this detention order, the Pretrial Services' Report shall be sealed and made part of the record in this cause.

It is so **ORDERED**.

SIGNED this 24th day of August, 2023.

A handwritten signature in black ink, appearing to read "David B. Fannin", written over a horizontal line.

DAVID B. FANNIN  
UNITED STATES MAGISTRATE JUDGE